

RESOLUTION NO. 75675

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT IN WHICH THE VALLEY TRANSPORTATION AUTHORITY ("VTA") WILL REIMBURSE THE CITY FOR ALL COSTS, IN AN AMOUNT NOT TO EXCEED \$275,000, ASSOCIATED WITH THE VTA'S USE OF A CITY SENIOR CIVIL ENGINEER FOR A 14-MONTH PERIOD OF TIME

WHEREAS, the Valley Transportation Authority ("VTA") desires to use the "design-build" method of procuring the design and construction of the Silicon Valley Rapid Transit Project ("BART") from Milpitas to Berryessa in San José; and

WHEREAS, the VTA has not previously used "design-build" as a project delivery method; and

WHEREAS, the City of San José ("City") has previously used the "design-build" method and employs people with experience in the procurement of "design-build" services; and

WHEREAS, the City desires to negotiate and execute an agreement to "loan" the VTA a Senior Civil Engineer experienced in the procurement of "design-build" services for a fourteen-month period retroactive from November 1, 2010 through December 31, 2011, with the VTA to reimburse the City for all costs including benefits and overhead;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to negotiate and execute an agreement with the Valley Transportation Authority for the use of a City Senior Civil Engineer in accordance with the following:

1. The term of the agreement will be for a period of fourteen (14) months, retroactive to November 1, 2010, and
2. The VTA will reimburse the City for all compensation related to the "loaned" Senior Civil Engineer, including fringe benefits and overhead, in an amount not to exceed \$275,000.

ADOPTED this 14th day of December, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST



LEE PRICE, MMC
City Clerk